

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year)

24.06.2004

Applicant's or agent's file reference
PCT-14/2002

IMPORTANT NOTIFICATION

International application No.
PCT/IB 02/03574

International filing date (day/month/year)
04.09.2002

Priority date (day/month/year)
08.03.2002

Applicant
WIJAYA, Heru, Prasanta

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:



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PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-14/2002	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IB 02/03574	International filing date (<i>day/month/year</i>) 04.09.2002	Priority date (<i>day/month/year</i>) 08.03.2002
International Patent Classification (IPC) or both national classification and IPC F02M35/024		
Applicant WIJAYA, Heru, Prasanta		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input checked="" type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 24.09.2003	Date of completion of this report 24.06.2004	
Name and mailing address of the international preliminary examining authority: <div style="display: flex; align-items: center;"> <div> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 </div> </div>	Authorized Officer Pileri, P Telephone No. +49 89 2399-7907	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 02/03574**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-10 received on 24.09.2003 with letter of 24.09.2003

Drawings, Sheets

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 10

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☒ the claims, or said claims Nos. 10 are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the Standard.

☐ the computer readable form has not been furnished or does not comply with the Standard.

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees, the applicant has:

☐ restricted the claims.

☐ paid additional fees.

☐ paid additional fees under protest.

☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

☐ complied with.

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☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

☐ all parts.

☒ the parts relating to claims Nos. 1-9 .

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-5,9
	No: Claims	6-8
Inventive step (IS)	Yes: Claims	1-5,9
	No: Claims	6-8
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

- **see separate sheet**

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claim 10 filed under Article 19(1) on the 22.04.03 introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 19(2) PCT. In fact no basis for this amendment in the application as filed could be found.

Re Item IV

Lack of unity of invention

The application lacks unity within the meaning of Rule 13 PCT for the following reasons:

There is no link between the three inventions claimed in claims 1, 6 and 7 in terms of the same or corresponding "special technical features" that define a contribution that the claimed invention considered as a whole makes over the prior art.

The common matter of the three variants is indeed disclosed in document US2001/0000845 (D1) or US-4720292 (D2).

Further the special technical feature of claim 1 is a detachable reinforcing file. Claim 6 does not describe however a reinforcing pile but a detachable inner mesh so that the two claims are not so linked as to form a single general inventive concept.

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. The document D1 discloses an air filter comprising a filtering medium (42), an inner mesh (38), a lower rubber (52) and an upper rubber (48) engaged integrally (para. [0013]). The tubular housing (12) has an air inlet defining an opening (20) and is therefore perforated and can be detached from the inner mesh and the filter medium. The terms "detachable" and "perforated plate" are

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so vague that also the components of D1 could be intended.

D1 discloses further a lower housing (50), perforated plate (12) and upper housing (30) which can be assembled by means of a locker (59).

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 6 and the subject matter of claim 7 are not new in the sense of Article 33(2) PCT.

Dependent claim 8 does not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, because this feature is disclosed in D1.

2. D1 does not disclose a detachable reinforcing pile which can be assembled so that the subject matter of claim 1 is new.

This design solution is also not suggested by the other documents cited in the search report so that claim 1 is also inventive

Object of the present invention is to provide an air filter where only the filtering medium and the inner mesh should be periodically replaced.

Claims

1. Knocked-down air filter for internal combustion engine characterized by
5 parts of a filtering medium (7) and inner mesh (6) engaged by lower rubber (5) and upper rubber (8) acting as a binder so that filtering medium (7) and inner mesh (6) engaged integrally;
detachable lower housing (1), perforated plate (3),
10 reinforcing pile (4) and upper housing (9) which can be assembled, where parts of a filtering medium (7) and inner mesh (6) which have been engaged can be integrally formed into an air filter when combined with lower housing (1), perforated plate (3), reinforcing pile (4),
15 and upper housing (9) by means of locker (11).
2. Knocked-down air filter for internal combustion engine defined in claim 1 in which the binding between lower housing (1) and upper housing (9) is effected by a
20 perforated plate (3) by means of a hook-locking system.
3. Knocked-down air filter for internal combustion engine defined in claim 1 applying a clip-locking system.
- 25 4. Knocked-down air filter for internal combustion engine defined in claim 1 in which the binding between lower housing (1) and upper housing (9) is effected by a perforated plate (3) by means of a thread-locking system.
- 30 5. Knocked-down air filter for internal combustion engine defined in claim 1 with a reinforcing means in the form of a spiral.
- 35 6. Knocked-down air filter for internal combustion engine characterized by

parts of a filtering medium (7) and inner mesh (6) equipped with lower rubber (5) and upper rubber (8) which functions as a binder as well as stabilizer for the filtering medium (7) and its consistent shape;

5 detachable lower housing (1), perforated plate (3), inner mesh (6) and upper housing (9): where parts of a filtering medium (7), lower housing (1), perforated plate (3), inner mesh (6) and upper housing (9) can be assembled into an air filter by means of
10 locker (11).

7. Filtering medium (7) constituted by a plurality of upwardly extending folds made from filtering paper or other substances where rubbers are attached on upper and
15 lower parts thereof in order to stabilize the shape of the filtering medium.

8. Knocked-down air filter for internal combustion engine disclosed in claim 6 in which the engagement model
20 between lower housing (1) and upper housing (9) is effected by a perforated plate (3) and an inner mesh (6) using hook, clip and thread-locking systems.

9. Knocked-down air filter for internal combustion engine defined in claim 1 and claim 6 whose lower housing (1)
25 and upper housing (9) are engaged by a reinforcing means in the form of spiral or pile.

10. Knocked-down air filter for internal combustion engine defined in claim 6 where the folded body of the filtering
30 medium is provided with a plastic reinforcing substance wound as a ring around the filtering medium.

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